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9D-DW-19349
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barry et al. 248

Serial No.: 09/784,804

Filed: December 27, 2000

For: DISHWASHER SILVERWARE
BASKET WITH SWIVEL
HANDLE

Art Unit: 3727

Examiner: Moy, Joseph Man

REQUEST FOR RECONSIDERATION AFTER FINAL OFFICE ACTION

Hon. Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated January 14, 2003 and made final, Applicants hereby submit the following remarks and request reconsideration of the rejections of the pending claims.

Remarks

The Office Action mailed January 14, 2003 and made final has been carefully reviewed and the following remarks are made in consequence thereof. Applicants' intent herein is to clarify Applicants' position and to respond to the Examiner's response to Applicants' argument set forth in the Office Action.

Claims 1-18 are now pending in this application. Claims 1-18 stand rejected.

PATENT
9D-DW-19349

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barry et al. :
: Art Unit: 3727
Serial No.: 09/784,804 :
: Examiner: Moy, Joseph Man
Filed: December 27, 2000 :
:
For: DISHWASHER SILVERWARE :
BASKET WITH SWIVEL :
HANDLE :
Box: Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL

1. Transmitted herewith is:

Request for Reconsideration in response to Office Action dated January 14, 2003
(4 pgs.)

STATUS

2. Applicant

Claims small entity status.
☒ is other than a small entity.

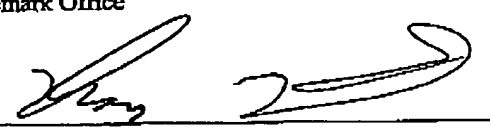
CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being:

MAILING
deposited with the United States Postal Service with
sufficient postage as "Express Mail Post Office to
Addressee" in an envelope addressed to: Commissioner
for Patents, Washington, D.C. 20231.

Date: March 14, 2003

FACSIMILE
☒ transmitted by facsimile to the Patent and
Trademark Office


Thomas M. Fisher
Reg. No. 47,564

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) _____ Applicant petitions for an extension of time under 37 C.F.R. 1.136
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
_____ First month	\$ 110.00	\$ 55.00
_____ Second month	\$ 410.00	\$ 205.00
_____ Third month	\$ 930.00	\$ 465.00
_____ Fourth month	\$1,450.00	\$ 725.00
_____ Fifth month	\$1,970.00	\$ 985.00

Fee: \$ _____

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

_____ An extension of _____ months has already been secured. The fee paid therefor \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY	OR	OTHER THAN SMALL ENTITY
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA	ADDITIONAL RATE FEE		ADDITIONAL RATE FEE
TOTAL INDEP.	28	MINUS	28	= 0	x \$9 = \$		x \$18 = \$
	2	MINUS	2	= 0	x \$42 = \$		x \$84 = \$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$140 = \$		+ \$280 = \$
					TOTAL ADDITIONAL FEE \$	OR	TOTAL ADDITIONAL FEE \$

- (a) No additional fee for claims is required.

OR

- (b) ✓ Total additional fee for claims required \$ 0.00

FEE PAYMENT

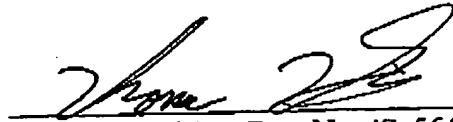
5. Attached is a check in the sum of \$
 ✓ Charge Deposit Account No. 01-2384 the sum of \$0.00
 A duplicate of this transmittal is attached.

FEE DEFICIENCY

6. ✓ If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

AND/OR

- ✓ If any additional fee for claims is required, charge Deposit Account No. 01-2384.
 7. Other:


 Thomas M. Fisher, Reg. No. 47, 564
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MAR 14 2003

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Date: March 14, 2003

Please Deliver To:

Name: Examiner Joseph Man Moy

Firm: U.S. Patent and Trademark Office

Tel: (703)306-4038

Fax: (703) 872-9303

From: Thomas M. Fisher

Serial Number: 09/784,804

Docket: 9D-DW-19349

PAPERS TRANSMITTED:

Request for Reconsideration Transmittal (3 pgs.)

Request for Reconsideration in response to

Office Action dated January 14, 2003 (4 pgs)

Total pages including cover page: 8

If all pages are not received, please contact Thomas Fisher at (314) 621-5070, ext. 7462

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office,
Facsimile Number 1-703-872-9303 on the date shown below.

Date: March 14, 2003


Thomas M. Fisher
Registration No. 47,564

Applicant: Barry et al.

Serial No.: 09/784,804

Filed: December 27, 2000

Art Unit: 3727

Examiner: Joseph Man Moy

Atty. Dkt. No.: 9D-DW-19349 (13307-95)

For: DISHWASHER SILVERWARE BASKET SWIVEL HANDLE

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